THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

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WRIT PETITION NO. 17289 OF 2005

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ORDER:

This writ petition is filed seeking a declaration that the action of the first-Gram panchayat, Valluru, in not taking any action on the complaint of the petitioner, dated 28.07.2005 is arbitrary and illegal.

2. The case of the petitioner is that he has constructed a rice mill under the name and style of M/S Sri Venkateswara Rice Mill situated on the main road of Valluru village, known as post office street and the said road is very narrow. While so, respondents 2 and 3 have constructed a small structure in their site at D.No.5-68 and subsequently encroached the public road and extended the roof of structure without any manner of right or title and causing much inconvenience to the vehicular movement. The petitioner has made a complaint, dated 28.07.2005 to the first respondent about the same, however, the first respondent failed to take any action. Taking advantage of the inaction of the first respondent, respondents 2 and 3 are now laying huts by encroaching the main road without any right, title or permission of the first respondent and making hectic efforts to construct a pucca building in the said area. Hence, this petition.

3. Heard the learned counsel for the petitioner and perused the material on record.

4. It is contended by the learned counsel for the petitioner that despite making several complaints about the unauthorized constructions made by respondents 2 and 3, the first respondent failed to take any action. Therefore, prayed to direct the first respondent to take appropriate action in accordance with law.

5. Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the first respondent to consider the complaint of the petitioner dated 28.07.2005 and take appropriate action in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

05.08.2005

Note: Furnish C.C in three days.

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